

EIGHTY-EIGHTH DAY - JUNE 1, 2005**LEGISLATIVE JOURNAL****NINETY-NINTH LEGISLATURE
FIRST SESSION****EIGHTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, June 1, 2005

PRAYER

The prayer was offered by Senator Langemeier.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Byars, Combs, Cornett, Heidemann, Landis, Mines, and Dw. Pedersen who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighty-seventh day was approved.

SELECT COMMITTEE REPORTS**Enrollment and Review**

LEGISLATIVE BILL 373. Placed on Select File as amended.
E & R amendment to LB 373:
AM7120

- 1 1. In the Fischer et al amendment, on page 3, line 3 the
- 2 first "of" has been struck and "or" inserted.
- 3 2. On page 1, line 2, after "sections" insert "84-906,
- 4 84-906.01, 84-907,"; and in line 4 after the semicolon insert "to
- 5 require information be provided to the Governor; to require an
- 6 estimated quantification;"

LEGISLATIVE BILL 116. Placed on Select File as amended.
E & R amendment to LB 116:
AM7121

- 1 1. Strike the original sections and all amendments
- 2 thereto and insert the following new sections:
- 3 "Section 1. Section 43-1724, Reissue Revised Statutes of
- 4 Nebraska, is amended to read:

5 43-1724. Any employer or other payor who fails to
6 withhold and remit any income of an obligor receiving income from
7 the employer or other payor, after proper notice as provided in
8 section 43-1723, shall be required to pay the certified amount to
9 the clerk of the district court specified in the notice. The
10 county attorney or authorized attorney may file an action in
11 district court to enforce this section. The court may sanction an
12 employer or other payor twenty-five dollars per day, up to five
13 hundred dollars per incident, for failure to comply with proper
14 notice.

15 Sec. 2. Section 43-3342.03, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 43-3342.03. (1) All support orders shall direct payment
18 of support as provided in section 42-369. Any support order issued
19 prior to the date that the State Disbursement Unit becomes
20 operative for which the payment is to be made to the clerk of the
21 district court shall be deemed to require payment to the State
22 Disbursement Unit after a notice to the obligor is issued.

23 (2) The unit may collect a fee equal to the actual cost
24 of processing any ~~payment made with insufficient funds.~~ After
1 payments for returned check charges or charges for electronic
2 payments not accepted. After a payor has originated two payments
3 ~~made with insufficient funds resulting in returned check charges or~~
4 charges for electronic payments not accepted within a period of one
5 year, the unit ~~shall~~ may issue a notice to the originator that, for
6 the following year, any payment shall be required to be paid by
7 ~~cash, guaranteed funds, or wire funds transfer money order,~~
8 cashier's check, or certified check. After a payor has originated
9 three payments ~~made with insufficient funds resulting in returned~~
10 check charges or electronic payments not accepted, the unit ~~shall~~
11 may issue a notice to the originator that all future payments shall
12 be paid by ~~cash, guaranteed funds, or wire funds transfer money~~
13 order, cashier's check, or certified check, except that pursuant to
14 rule and regulation and at least two years after such issuance of
15 notice, the unit may waive for good cause shown such requirements
16 for methods of payment.

17 Sec. 3. Sections 3 and 5 of this act become operative on
18 their effective date. The other sections of this act become
19 operative three calendar months after the adjournment of this
20 legislative session.

21 Sec. 4. Original sections 43-1724 and 43-3342.03,
22 Reissue Revised Statutes of Nebraska, are repealed.

23 Sec. 5. Since an emergency exists, this act takes effect
24 when passed and approved according to law."

25 2. On page 1, strike beginning with "section" in line 1
26 through line 4 and insert "sections 43-1724 and 43-3342.03, Reissue
27 Revised Statutes of Nebraska; to provide a penalty for failure to
1 withhold income for child support obligations as prescribed; to
2 change provisions relating to the State Disbursement Unit; to

3 provide operative dates; to repeal the original sections; and to
4 declare an emergency.".

LEGISLATIVE BILL 594. Placed on Select File as amended.

E & R amendment to LB 594:

AM7122

- 1 1. On page 8, line 27, after "violation" insert an
- 2 underscored comma.
- 3 2. On page 9, line 7, strike the comma; and in line 18
- 4 after "years" insert "from the date ordered by the court".

(Signed) Michael Flood, Chairperson

SELECT FILE

LEGISLATIVE BILL 645. E & R amendment, AM7118, found on page 1830, was adopted.

Senator Connealy withdrew his pending amendment, AM1744, found on page 1806.

Senator Brashear renewed his pending amendment, AM1769, found on page 1841.

Senator Schrock offered the following amendment to the Brashear pending amendment:

AM1773

(Amendments to Brashear amendment, AM1769)

- 1 1. On page 3, line 22, after "district" insert "and
- 2 shall represent consumers".

The Schrock amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Senator Chambers offered the following amendment to the Brashear pending amendment:

FA320

Amend AM1769

Strike section 10.

The Chambers amendment was adopted with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

The Brashear amendment, as amended, was adopted with 32 ayes, 1 nay, 11 present and not voting, and 5 excused and not voting.

Senator Raikes offered the following amendment:

AM1356

- 1 1. In the Brashear, et al., amendment, AM1334, on page

2 2, line 3, after "in" insert "the Educational Service Units Act
3 and".

Senator Raikes asked unanimous consent to withdraw his pending amendment, AM1356, found in this day's Journal, and replace it with his substitute amendment, AM1779. No objections. So ordered.
AM1779

(Amendments to AM1769)

- 1 1. On page 1, line 24, after "in" insert "the
2 Educational Service Units Act and".

The Raikes amendment was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Beutler withdrew his pending amendments, FA215 and FA307, found on page 1812.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 35:

| | | | | |
|----------|------------|------------|---------------|------------|
| Aguilar | Cunningham | Heidemann | McDonald | Redfield |
| Baker | Engel | Hudkins | Mines | Schrock |
| Brashear | Erdman | Janssen | Pahls | Smith |
| Brown | Fischer | Jensen | Pedersen, Dw. | Stuhr |
| Burling | Flood | Johnson | Pederson, D. | Synowiecki |
| Byars | Foley | Kremer | Preister | Thompson |
| Cudaback | Friend | Langemeier | Raikes | Wehrbein |

Voting in the negative, 7:

| | | | |
|----------|---------|---------|----------|
| Chambers | Howard | Louden | Stuthman |
| Connealy | Kopplin | Schimek | |

Present and not voting, 4:

| | | | |
|---------|--------|-------|-------|
| Beutler | Bourne | Kruse | Price |
|---------|--------|-------|-------|

Excused and not voting, 3:

| | | |
|-------|---------|--------|
| Combs | Cornett | Landis |
|-------|---------|--------|

Advanced to E & R for engrossment with 35 ayes, 7 nays, 4 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 589. E & R amendment, AM7119, found on page 1831, was adopted.

Senator Chambers withdrew his pending amendment, FA308, found on page

1832.

Senator Beutler offered the following amendment:

FA319

Amend AM1707

Strike on page 4 lines 25, 26, and 27 and on page 5 strike lines 1 and 2.

The Beutler amendment was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 589A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 373. E & R amendment, AM7120, found in this day's Journal, was adopted.

Senator Preister offered the following amendment:

AM1777

(Amendments to AM0984)

- 1 1. On page 1, line 21, strike "and" and after "persons"
- 2 insert ", the public, and the environment".
- 3 2. On page 4, line 10, strike "and", show as stricken,
- 4 and after "persons" insert ", the public, and the environment".
- 5 3. On page 5, line 10, strike "and", show as stricken,
- 6 and after "regulated" insert ", the public, and the environment".

Senator Preister withdrew his amendment.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 116. E & R amendment, AM7121, found in this day's Journal, was adopted.

Senator Stuthman asked unanimous consent to withdraw his pending amendment, AM1657, printed separately and referred to on page 1667, and replace it with his substitute amendment, AM1778. No objections. So ordered.

(Amendment, AM1778, is on file and available in the Clerk's Office, Room 2014.)

The Stuthman amendment was adopted with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

Senator Friend withdrew his pending amendment, AM1225, found on page 1848.

Senator Friend offered the following amendment:

AM1775

(Amendments to E & R amendments, AM7121)

- 1 1. Strike sections 3 and 5.
- 2 2. On page 1, line 9, strike "clerk of the district
- 3 court specified in the notice", show as stricken, and insert "State
- 4 Disbursement Unit".
- 5 3. Renumber the remaining section accordingly.

The Friend amendment was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

Senator Friend offered the following amendment:

AM1776

(Amendments to E & R amendments, AM7121)

- 1 1. On page 2, lines 4 and 5, strike "one year", show as
- 2 stricken, and insert "two years".

The Friend amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 594. E & R amendment, AM7122, found in this day's Journal, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 70. The Jensen pending amendment, AM1153, found on page 1173 and considered on pages 1667, 1830, and 1834, as amended, was renewed.

Senator Smith offered the following amendment to the Jensen pending amendment:

(Amendment, AM1770, is on file and available in the Clerk's Office, Room 2014.)

Senator Beutler offered the following motion:

Recommit LB 70 to committee.

SENATOR JANSSEN PRESIDING

SENATOR CUDABACK PRESIDING

SPEAKER BRASHEAR PRESIDING

Senator Smith offered the following motion:

Invoke cloture on LB 70, pursuant to Rule 7, Section 10.

Senator Smith moved for a call of the house. The motion prevailed with 36

ayes, 0 nays, and 13 not voting.

Senator Smith requested a roll call vote, in reverse order, on his motion to invoke cloture.

Voting in the affirmative, 31:

| | | | | |
|----------|------------|------------|---------------|----------|
| Aguilar | Cudaback | Hudkins | Mines | Stuhr |
| Baker | Cunningham | Janssen | Pahls | Stuthman |
| Bourne | Erdman | Kremer | Pedersen, Dw. | Wehrbein |
| Burling | Fischer | Landis | Pederson, D. | |
| Combs | Flood | Langemeier | Redfield | |
| Connealy | Friend | Louden | Schrock | |
| Cornett | Heidemann | McDonald | Smith | |

Voting in the negative, 13:

| | | | | |
|----------|--------|----------|------------|----------|
| Beutler | Engel | Johnson | Raikes | Thompson |
| Byars | Howard | Preister | Schimek | |
| Chambers | Jensen | Price | Synowiecki | |

Present and not voting, 3:

| | | |
|----------|---------|-------|
| Brashear | Kopplin | Kruse |
|----------|---------|-------|

Absent and not voting, 1:

Brown

Excused and not voting, 1:

Foley

The Smith motion to invoke cloture failed with 31 ayes, 13 nays, 3 present and not voting, 1 absent and not voting, and 1 excused and not voting.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 235 and 236 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 235 and 236.

REPORT OF THE EXECUTIVE BOARD2005 Resolutions calling for an Interim Study

- LR 240 Interim study to examine the retirement system created under the Judges Retirement Act
Nebraska Retirement Systems
- LR 241 Interim study to review issues relating to natural gas regulation
Urban Affairs

(Signed) L. Patrick Engel, Chairperson
Legislative Council, Executive Board

VISITORS

Visitors to the Chamber were Steve, Jacob, and John Pribnow from Fremont; Eric Hamilton, Darin Kleb, Doug Hartwell, Shayna Thornton, Melissa Markus, and Lori Markus from Millard; and Anne Sancier, Richard Barbeyron, Veronique Reneult, and Jean Paul Tarby from France, and Vickie Scow from Lincoln.

RECESS

At 12:02 p.m., on a motion by Senator Cudaback, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senators Brown, Cornett, Engel, Kruse, Landis, McDonald, and Wehrbein who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 548. E & R amendment, AM7085, found on page 1170, was adopted.

Senator Chambers withdrew his pending amendment, AM1205, found on page 1203.

Senator Schrock renewed his pending motion, found on page 1730, to suspend Rule 7, Section (3)(d) to permit consideration of AM1696 as an amendment to LB 548.

The Schrock motion to suspend the rules prevailed with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

Senator Schrock renewed the Schrock et al. pending amendment, AM1696, found on page 1718.

Senator Beutler withdrew his pending amendment, AM1754, found on page 1840.

Senator Beutler renewed his pending amendment, FA310, found on page 1840, to the Schrock et al. pending amendment.

Senator Jensen asked unanimous consent to bracket LB 548 until June 3, 2005. No objections. So ordered.

WITHDRAW - Amendment to LB 709

Senator Synowiecki withdrew his pending amendment, AM1323, found on page 1317, to LB 709.

MOTIONS - Return LB 709 to Select File

Senator Synowiecki moved to return LB 709 to Select File for the following specific amendment:
AM1361

(Amendments to Final Reading copy)

- 1 1. Insert the following new sections:
- 2 "Sec. 14. Sections 14 to 18 of this act shall be known
- 3 and may be cited as the Employer Public Health Services Report Act.
- 4 Sec. 15. The purpose of the Employer Public Health
- 5 Services Report Act is to require the compilation and reporting of
- 6 specified health benefit information relating to employers and
- 7 recipients of benefits under the medical assistance program
- 8 established in section 68-1018.
- 9 Sec. 16. All applicants for medical assistance benefits
- 10 under the medical assistance program established in section 68-1018
- 11 shall identify his or her employer or employers when making such
- 12 application. If the applicant is unemployed when making such
- 13 application, the applicant shall identify the employer or employers
- 14 of his or her spouse or financially responsible guardian.
- 15 Sec. 17. (1) Upon the request of the Governor or the
- 16 Legislature, the Department of Health and Human Services Finance
- 17 and Support, with the assistance and cooperation of the Department
- 18 of Health and Human Services, the Department of Labor, and the
- 19 Department of Revenue, shall compile and submit a report as
- 20 provided in this section.
- 21 (2) The report shall contain the following information
- 22 with respect to employers which employ twenty-five or more persons
- 23 who are recipients of medical assistance benefits under the medical

- 1 assistance program established in section 68-1018:
 2 (a) The name of the employer;
 3 (b) The number of persons receiving medical assistance
 4 benefits who are employed by the employer; and
 5 (c) The number of persons receiving medical assistance
 6 benefits who are the spouse or dependent of such employees.
 7 Sec. 18. The report submitted under section 17 of this
 8 act shall comply with all applicable provisions of the federal
 9 Health Insurance Portability and Accountability Act of 1996 and
 10 other applicable provisions of state and federal law, rules, and
 11 regulations."
 12 2. On page 1, line 2, strike "and" and insert a comma;
 13 and in line 3 after "Act" insert ", and the Employer Public Health
 14 Services Report Act".
 15 3. Renumber the remaining section accordingly.

Senator Synowiecki withdrew his motion to return.

Senator Chambers moved to return LB 709 to Select File for his specific pending amendment, AM1345, found on page 1327.

Senator Landis requested a roll call vote on the Chambers motion to return.

Senator Chambers requested the roll call vote be taken in reverse order.

Voting in the affirmative, 20:

| | | | | |
|----------|----------|-----------|----------|------------|
| Aguilar | Chambers | Engel | Kopplin | Schrock |
| Beutler | Connealy | Erdman | Louden | Synowiecki |
| Brashear | Cornett | Heidemann | Preister | Thompson |
| Byars | Cudaback | Janssen | Schimek | Wehrbein |

Voting in the negative, 7:

| | | | |
|--------|---------|--------|------------|
| Baker | Burling | Friend | Langemeier |
| Bourne | Flood | Landis | |

Present and not voting, 17:

| | | | | |
|------------|---------|----------|---------------|----------|
| Brown | Foley | Kremer | Pedersen, Dw. | Stuthman |
| Combs | Hudkins | McDonald | Raikes | |
| Cunningham | Jensen | Mines | Redfield | |
| Fischer | Johnson | Pahls | Stuhr | |

Excused and not voting, 5:

| | | | | |
|--------|-------|--------------|-------|-------|
| Howard | Kruse | Pederson, D. | Price | Smith |
|--------|-------|--------------|-------|-------|

The Chambers motion to return failed with 20 ayes, 7 nays, 17 present and

not voting, and 5 excused and not voting.

MOTION - Suspend Rules

Senator Brashear offered the following motion to LB 71A:

To suspend the rules, Rule 5, Sections 7 (f) and (g), and Rule 7, Section 3 (d), to permit consideration of AM1780 to LB 71A.

The Brashear motion to suspend the rules prevailed with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

MOTION - Return LB 71A to Select File

Senator Brashear moved to return LB 71A to Select File for the following specific amendment:

AM1780

(Amendments to Final Reading copy)

- 1 1. Strike the original section and insert the following
- 2 new section:
- 3 "Section 1. There is hereby appropriated \$200,000 from
- 4 the General Fund for FY2005-06 to the Legislative Council for
- 5 Program 122, to aid in carrying out the provisions of Legislative
- 6 Bill 645, Ninety-ninth Legislature, First Session, 2005.
- 7 No expenditures for permanent and temporary salaries and
- 8 per diems for state employees shall be made from funds appropriated
- 9 in this section."
- 10 2. On page 1, line 2, strike "71" and insert "645".

The Brashear motion to return prevailed with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 71A. The Brashear specific amendment, AM1780, found in this day's Journal, was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

Advanced to E & R for reengrossment.

AMENDMENT - Print in Journal

Senator Brown filed the following amendment to LB 99:
AM1772

- 1 1. Strike section 5 and insert the following section:
- 2 "Sec. 5. Section 48-418, Reissue Revised Statutes of
- 3 Nebraska, is amended to read:
- 4 48-418. The Commissioner of Labor shall, on or before
- 5 the first day of ~~July 1965~~ January 2006, appoint a state elevator
- 6 inspector, subject to the approval of the Governor, who shall work

7 under the direct supervision of the commissioner. The person so
 8 appointed shall be (1) qualified by not less than five years'
 9 experience in the installation, maintenance, and repair of
 10 elevators as determined by the commissioner, (2) certified as a
 11 qualified elevator inspector by an association accredited by the
 12 American Society of Mechanical Engineers or have not less than five
 13 years' journeyman experience in elevator installation, maintenance,
 14 and inspection as determined by the Commissioner of Labor
 15 commissioner, and shall be (3) familiar with the inspection process
 16 provided by the Nebraska Elevator Code provided under section
 17 48-418.12. The commissioner, subject to the approval of the
 18 Governor, may appoint deputy inspectors possessing the same
 19 qualifications as the state elevator inspector. A qualified
 20 individual may apply for the position of inspector or deputy
 21 inspector and such application shall include the applicant's social
 22 security number, but the individual's social security number shall
 23 not be a public record."

UNANIMOUS CONSENT - Add Cointroducer

Senator Brashear asked unanimous consent to have his name added as cointroducer to LB 71A. No objections. So ordered.

WITHDRAW - Cointroducer

Senator Stuhr withdrew her name as cointroducer to LB 71A.

MOTION - Return LR 12CA to Select File

Senator Schimek moved to return LR 12CA to Select File for the following specific amendment:

FA321

Strike the enacting clause.

Senator Schimek withdrew her motion to return.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 12CA.

THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At a special election on May 9, 2006, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, sections 7 and 19:

III-7 At the general election to be held in November 1964, one-half the

members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. Each Until January 3, 2007, each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. Beginning January 3, 2007, each member of the Legislature shall receive an annual salary during his or her term of office equal to twenty-one thousand dollars in 2007 and increased annually thereafter by the change in the prior calendar year in a consumer price index designated by law, not to exceed four percent. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

III-19 The Legislature shall never grant any extra compensation to any public officer, agent, or servant after the services have been rendered nor to any contractor after the contract has been entered into, except that retirement benefits of retired public officers and employees may be adjusted to reflect changes in the cost of living and wage levels that have occurred subsequent to the date of retirement.

Except as otherwise provided in section 7 of this Article, the ~~The~~ compensation of any public officer, including any officer whose compensation is fixed by the Legislature, shall not be increased or diminished during his or her term of office, except that when there are members elected or appointed to ~~the Legislature or~~ the judiciary, or officers elected or appointed to a board or commission having more than one member, and the terms of such members commence and end at different times, the compensation of all members ~~of the Legislature,~~ of the judiciary, or of such board or commission may be increased or diminished at the beginning of the full term of any member thereof.

Nothing in this section shall prevent local governing bodies from reviewing and adjusting vested pension benefits periodically as prescribed by ordinance.

The surviving spouse of any retired public officer, agent, or servant, who has retired under a pension plan or system, shall be considered as having pensionable status and shall be entitled to the same benefits which may, at any time, be provided for or available to spouses of other public officers, agents, or servants who have retired under such pension plan or system at a later date, and such benefits shall not be prohibited by the restrictions of this section or of Article XIII, section 3 of the Constitution of Nebraska.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to provide for an annual salary for members of the Legislature equal to twenty-one thousand dollars in 2007 and increased annually thereafter by the change in the prior calendar year in a consumer price index designated by law, not to exceed four percent.

For

Against.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the resolution pass?' "

Voting in the affirmative, 44:

| | | | | |
|----------|------------|-----------|---------------|------------|
| Aguilar | Connealy | Friend | Landis | Redfield |
| Baker | Cornett | Heidemann | Langemeier | Schimek |
| Bourne | Cudaback | Hudkins | Louden | Schrock |
| Brashear | Cunningham | Janssen | McDonald | Smith |
| Brown | Engel | Jensen | Mines | Stuhr |
| Burling | Erdman | Johnson | Pedersen, Dw. | Synowiecki |
| Byars | Fischer | Kopplin | Pederson, D. | Thompson |
| Chambers | Flood | Kremer | Preister | Wehrbein |
| Combs | Foley | Kruse | Raikes | |

Voting in the negative, 0.

Present and not voting, 5:

| | | | | |
|---------|--------|-------|-------|----------|
| Beutler | Howard | Pahls | Price | Stuthman |
|---------|--------|-------|-------|----------|

A constitutional four-fifths majority having voted in the affirmative, the resolution was declared passed for the special election.

MOTION - Return LB 126 to Select File

Senator Smith moved to return LB 126 to Select File for the following specific amendment:

FA322

Strike the enacting clause.

Senator Smith withdrew his motion to return.

BILLS ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 126 with 37 ayes, 5 nays, and 7 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 126.

A BILL FOR AN ACT relating to schools; to amend sections 32-542, 79-102, 79-401, 79-402, 79-403, 79-405, 79-407, 79-408, 79-409, 79-410, 79-413, 79-415, 79-416, 79-418, 79-419, 79-422, 79-423, 79-433, 79-434, 79-435, 79-443, 79-447, 79-449, 79-452, 79-454, 79-455, 79-470, 79-473, 79-479, 79-499, 79-4,101, 79-4,108, 79-4,111, 79-556, 79-611, 79-850, 79-857, 79-1003, 79-1026, 79-1027, 79-1031.01, 79-1083.02, and 79-1083.03, Reissue Revised Statutes of Nebraska, and sections 79-1016, 79-1022, and 79-1028, Revised Statutes Supplement, 2004; to provide for reorganization of certain school districts as prescribed; to provide for community schools, rural education transition funds, and elementary improvement grants; to change and eliminate provisions relating to school district reorganization; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 79-404, 79-406, 79-411, 79-417, 79-424 to 79-427, 79-431, 79-472, 79-477, 79-478, 79-492 to 79-495, 79-4,109, and 79-4,110, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

| | | | | |
|----------|------------|---------|---------------|------------|
| Aguilar | Chambers | Howard | Landis | Raikes |
| Baker | Combs | Janssen | Mines | Redfield |
| Beutler | Cornett | Jensen | Pahls | Schimek |
| Bourne | Cunningham | Johnson | Pedersen, Dw. | Stuhr |
| Brashear | Engel | Kopplin | Pederson, D. | Synowiecki |
| Brown | Foley | Kremer | Preister | Thompson |
| Byars | Friend | Kruse | Price | Wehrbein |

Voting in the negative, 12:

| | | | |
|----------|-----------|------------|----------|
| Burling | Fischer | Hudkins | McDonald |
| Cudaback | Flood | Langemeier | Smith |
| Erdman | Heidemann | Louden | Stuthman |

Present and not voting, 2:

Connealy Schrock

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 126A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 126, Ninety-ninth Legislature, First Session, 2005.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

| | | | | |
|----------|------------|---------|---------------|------------|
| Aguilar | Chambers | Friend | Landis | Redfield |
| Baker | Combs | Howard | Mines | Schimek |
| Beutler | Connealy | Janssen | Pahls | Schrock |
| Bourne | Cornett | Jensen | Pedersen, Dw. | Stuhr |
| Brashear | Cudaback | Johnson | Pederson, D. | Synowiecki |
| Brown | Cunningham | Kopplin | Preister | Thompson |
| Burling | Engel | Kremer | Price | Wehrbein |
| Byars | Foley | Kruse | Raikes | |

Voting in the negative, 10:

| | | | | |
|---------|-----------|------------|----------|----------|
| Erdman | Flood | Hudkins | Louden | Smith |
| Fischer | Heidemann | Langemeier | McDonald | Stuthman |

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 348 with 40 ayes, 3 nays, and 6 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 348. With Emergency.

A BILL FOR AN ACT relating to the legal system; to amend sections

25-1140.09, 33-103, 33-106, 33-106.02, 33-107.01, 33-123 to 33-125, 33-126.02, 33-126.03, 33-126.05, 33-126.06, 33-156, and 64-108, Reissue Revised Statutes of Nebraska, and sections 24-201.01, 24-703, and 25-2804, Revised Statutes Supplement, 2004; to change provisions relating to judges' salaries and retirement, court reporters, court fees, and notaries public; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

| | | | | |
|----------|------------|-----------|---------------|----------|
| Aguilar | Combs | Foley | Kremer | Price |
| Baker | Connealy | Friend | Kruse | Raikes |
| Beutler | Cornett | Heidemann | Landis | Redfield |
| Bourne | Cudaback | Howard | Langemeier | Schimek |
| Brashear | Cunningham | Hudkins | Louden | Schrock |
| Brown | Engel | Janssen | McDonald | Stuhr |
| Burling | Erdman | Jensen | Pahls | Thompson |
| Byars | Fischer | Johnson | Pedersen, Dw. | Wehrbein |
| Chambers | Flood | Kopplin | Pederson, D. | |

Voting in the negative, 3:

| | | |
|-------|----------|------------|
| Smith | Stuthman | Synowiecki |
|-------|----------|------------|

Present and not voting, 2:

| | |
|-------|----------|
| Mines | Preister |
|-------|----------|

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 348A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 348, Ninety-ninth Legislature, First Session, 2005; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

| | | | | |
|----------|------------|-----------|---------------|--------------|
| Aguilar | Combs | Foley | Kremer | Pederson, D. |
| Baker | Conneally | Friend | Kruse | Price |
| Beutler | Cornett | Heidemann | Landis | Raikes |
| Bourne | Cudaback | Howard | Langemeier | Redfield |
| Brashear | Cunningham | Hudkins | Louden | Schrock |
| Brown | Engel | Janssen | McDonald | Smith |
| Burling | Erdman | Jensen | Mines | Stuhr |
| Byars | Fischer | Johnson | Pahls | Thompson |
| Chambers | Flood | Kopplin | Pedersen, Dw. | Wehrbein |

Voting in the negative, 0.

Present and not voting, 4:

| | | | |
|----------|---------|----------|------------|
| Preister | Schimek | Stuthman | Synowiecki |
|----------|---------|----------|------------|

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 114.

A BILL FOR AN ACT relating to schools; to amend sections 79-214 and 79-220, Reissue Revised Statutes of Nebraska; to change provisions relating to entrance requirements; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

| | | | | |
|-----------|------------|------------|--------------|------------|
| Aguilar | Cornett | Howard | McDonald | Smith |
| Baker | Cudaback | Hudkins | Mines | Stuhr |
| Beutler | Cunningham | Janssen | Pahls | Stuthman |
| Brashear | Engel | Jensen | Pederson, D. | Synowiecki |
| Brown | Erdman | Kopplin | Preister | Thompson |
| Burling | Fischer | Kremer | Price | Wehrbein |
| Byars | Flood | Kruse | Raikes | |
| Chambers | Foley | Landis | Redfield | |
| Combs | Friend | Langemeier | Schimek | |
| Conneally | Heidemann | Louden | Schrock | |

Voting in the negative, 0.

Present and not voting, 2:

| | |
|--------|---------|
| Bourne | Johnson |
|--------|---------|

Excused and not voting, 1:

Pedersen, Dw.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 40. With Emergency.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 58-703, 58-706, 58-708, 76-901, 76-903, and 77-1327, Reissue Revised Statutes of Nebraska, and sections 66-1519 and 71-812, Revised Statutes Supplement, 2004; to change and eliminate provisions relating to the Affordable Housing Trust Fund, the Petroleum Release Remedial Action Cash Fund, the Behavioral Health Services Fund, and the documentary stamp tax; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'" "

Voting in the affirmative, 40:

| | | | | |
|----------|------------|---------|--------------|------------|
| Aguilar | Chambers | Foley | Landis | Redfield |
| Baker | Combs | Howard | McDonald | Schimek |
| Beutler | Connealy | Hudkins | Mines | Schrock |
| Bourne | Cornett | Janssen | Pahls | Stuhr |
| Brashear | Cudaback | Jensen | Pederson, D. | Stuthman |
| Brown | Cunningham | Johnson | Preister | Synowiecki |
| Burling | Engel | Kopplin | Price | Thompson |
| Byars | Flood | Kruse | Raikes | Wehrbein |

Voting in the negative, 7:

| | | | |
|---------|--------|------------|-------|
| Erdman | Friend | Langemeier | Smith |
| Fischer | Kremer | Louden | |

Present and not voting, 1:

Heidemann

Excused and not voting, 1:

Pedersen, Dw.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 40A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 40, Ninety-ninth Legislature, First Session, 2005; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

| | | | | |
|----------|------------|-----------|--------------|------------|
| Aguilar | Combs | Heidemann | Langemeier | Schimek |
| Baker | Connealy | Howard | McDonald | Schrock |
| Beutler | Cornett | Hudkins | Mines | Smith |
| Bourne | Cudaback | Janssen | Pahls | Stuhr |
| Brashear | Cunningham | Jensen | Pederson, D. | Stuthman |
| Brown | Engel | Johnson | Preister | Synowiecki |
| Burling | Erdman | Kopplin | Price | Thompson |
| Byars | Flood | Kruse | Raikes | Wehrbein |
| Chambers | Foley | Landis | Redfield | |

Voting in the negative, 0.

Present and not voting, 4:

| | | | |
|---------|--------|--------|--------|
| Fischer | Friend | Kremer | Louden |
|---------|--------|--------|--------|

Excused and not voting, 1:

Pedersen, Dw.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 146.

A BILL FOR AN ACT relating to nursing; to amend section 71-163, Reissue Revised Statutes of Nebraska; to adopt the Nursing Faculty Student Loan Act; to delete obsolete provisions; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

| | | | | |
|----------|------------|-----------|--------------|------------|
| Aguilar | Connealy | Heidemann | Langemeier | Schimek |
| Baker | Cornett | Howard | Louden | Schrock |
| Beutler | Cudaback | Hudkins | McDonald | Smith |
| Bourne | Cunningham | Janssen | Mines | Stuhr |
| Brashear | Engel | Jensen | Pahls | Stuthman |
| Brown | Erdman | Johnson | Pederson, D. | Synowiecki |
| Burling | Fischer | Kopplin | Preister | Thompson |
| Byars | Flood | Kremer | Price | Wehrbein |
| Chambers | Foley | Kruse | Raikes | |
| Combs | Friend | Landis | Redfield | |

Voting in the negative, 0.

Excused and not voting, 1:

Pedersen, Dw.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 146A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 146, Ninety-ninth Legislature, First Session, 2005.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

| | | | | |
|----------|------------|-----------|--------------|------------|
| Aguilar | Connealy | Heidemann | Langemeier | Smith |
| Baker | Cornett | Howard | McDonald | Stuhr |
| Beutler | Cudaback | Hudkins | Mines | Stuthman |
| Bourne | Cunningham | Janssen | Pahls | Synowiecki |
| Brashear | Engel | Jensen | Pederson, D. | Thompson |
| Brown | Erdman | Johnson | Preister | Wehrbein |
| Burling | Fischer | Kopplin | Price | |
| Byars | Flood | Kremer | Raikes | |
| Chambers | Foley | Kruse | Redfield | |
| Combs | Friend | Landis | Schimek | |

Voting in the negative, 0.

Present and not voting, 2:

Louden Schrock

Excused and not voting, 1:

Pedersen, Dw.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 332. With Emergency.

A BILL FOR AN ACT relating to compulsive gamblers assistance programs; to state intent regarding funding for compulsive gamblers assistance programs; to provide an operative date; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

| | | | | |
|----------|------------|-----------|------------|------------|
| Aguilar | Cornett | Heidemann | Landis | Schimek |
| Baker | Cudaback | Howard | Langemeier | Schrock |
| Beutler | Cunningham | Hudkins | Louden | Smith |
| Brashear | Engel | Janssen | McDonald | Stuhr |
| Burling | Erdman | Jensen | Mines | Stuthman |
| Byars | Fischer | Johnson | Pahls | Synowiecki |
| Chambers | Flood | Kopplin | Preister | Thompson |
| Combs | Foley | Kremer | Price | Wehrbein |
| Connealy | Friend | Kruse | Redfield | |

Voting in the negative, 0.

Present and not voting, 4:

| | | | |
|--------|-------|--------------|--------|
| Bourne | Brown | Pederson, D. | Raikes |
|--------|-------|--------------|--------|

Excused and not voting, 1:

Pedersen, Dw.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 332A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 332, Ninety-ninth Legislature, First Session, 2005; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure

having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

| | | | | |
|----------|------------|-----------|------------|------------|
| Aguilar | Connealy | Friend | Landis | Schimek |
| Baker | Cornett | Heidemann | Langemeier | Schrock |
| Beutler | Cudaback | Howard | Louden | Smith |
| Brashear | Cunningham | Hudkins | McDonald | Stuhr |
| Brown | Engel | Janssen | Mines | Stuthman |
| Burling | Erdman | Jensen | Pahls | Synowiecki |
| Byars | Fischer | Johnson | Preister | Thompson |
| Chambers | Flood | Kopplin | Price | Wehrbein |
| Combs | Foley | Kruse | Redfield | |

Voting in the negative, 0.

Present and not voting, 4:

Bourne Kremer Pederson, D. Raikes

Excused and not voting, 1:

Pedersen, Dw.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 713 with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 713.

A BILL FOR AN ACT relating to sexual offenses; to amend sections 29-110, 29-2264, 29-4003, 29-4004, 29-4009, and 29-4013, Revised Statutes Supplement, 2004; to provide duties regarding collecting evidence of sexual assault; to change provisions relating to time limitations for actions on certain offenses, probation, and sex offender registration; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

| | | | | |
|----------|------------|-----------|--------------|------------|
| Aguilar | Connealy | Heidemann | Langemeier | Schimek |
| Baker | Cornett | Howard | Louden | Schrock |
| Beutler | Cudaback | Hudkins | McDonald | Smith |
| Bourne | Cunningham | Janssen | Mines | Stuhr |
| Brashear | Engel | Jensen | Pahls | Stuthman |
| Brown | Erdman | Johnson | Pederson, D. | Synowiecki |
| Burling | Fischer | Kopplin | Preister | Thompson |
| Byars | Flood | Kremer | Price | Wehrbein |
| Chambers | Foley | Kruse | Raikes | |
| Combs | Friend | Landis | Redfield | |

Voting in the negative, 0.

Excused and not voting, 1:

Pedersen, Dw.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 211.

A BILL FOR AN ACT relating to the Nebraska State Historical Society; to adopt the Nebraska Archaeological Resources Preservation Act; to provide penalties; to create the Statewide Cemetery Registry; to provide powers and duties; and to provide operative dates.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

| | | | | |
|----------|------------|-----------|--------------|------------|
| Aguilar | Connealy | Heidemann | Langemeier | Schimek |
| Baker | Cornett | Howard | Louden | Schrock |
| Beutler | Cudaback | Hudkins | McDonald | Smith |
| Bourne | Cunningham | Janssen | Mines | Stuhr |
| Brashear | Engel | Jensen | Pahls | Stuthman |
| Brown | Erdman | Johnson | Pederson, D. | Synowiecki |
| Burling | Fischer | Kopplin | Preister | Thompson |
| Byars | Flood | Kremer | Price | Wehrbein |
| Chambers | Foley | Kruse | Raikes | |
| Combs | Friend | Landis | Redfield | |

Voting in the negative, 0.

Excused and not voting, 1:

Pedersen, Dw.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 211A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 211, Ninety-ninth Legislature, First Session, 2005.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

| | | | | |
|----------|------------|-----------|--------------|------------|
| Aguilar | Connealy | Heidemann | Langemeier | Schimek |
| Baker | Cornett | Howard | Louden | Schrock |
| Beutler | Cudaback | Hudkins | McDonald | Smith |
| Bourne | Cunningham | Janssen | Mines | Stuhr |
| Brashear | Engel | Jensen | Pahls | Stuthman |
| Brown | Erdman | Johnson | Pederson, D. | Synowiecki |
| Burling | Fischer | Kopplin | Preister | Thompson |
| Byars | Flood | Kremer | Price | Wehrbein |
| Chambers | Foley | Kruse | Raikes | |
| Combs | Friend | Landis | Redfield | |

Voting in the negative, 0.

Excused and not voting, 1:

Pedersen, Dw.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 28.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 2004; to provide an income tax credit for certain charitable contributions; to provide a termination date; to provide an operative date; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

| | | | | |
|----------|------------|-----------|--------------|------------|
| Aguilar | Cornett | Friend | Kruse | Schimek |
| Baker | Cudaback | Heidemann | Langemeier | Schrock |
| Bourne | Cunningham | Howard | Louden | Smith |
| Brashear | Engel | Hudkins | McDonald | Stuhr |
| Burling | Erdman | Janssen | Mines | Synowiecki |
| Byars | Fischer | Jensen | Pahls | Thompson |
| Combs | Flood | Johnson | Pederson, D. | Wehrbein |
| Connealy | Foley | Kopplin | Price | |

Voting in the negative, 4:

| | | | |
|----------|--------|--------|----------|
| Chambers | Landis | Raikes | Redfield |
|----------|--------|--------|----------|

Present and not voting, 5:

| | | | | |
|---------|-------|--------|----------|----------|
| Beutler | Brown | Kremer | Preister | Stuthman |
|---------|-------|--------|----------|----------|

Excused and not voting, 1:

Pedersen, Dw.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 28A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 28, Ninety-ninth Legislature, First Session, 2005.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

| | | | | |
|----------|------------|---------|--------------|------------|
| Aguilar | Cudaback | Howard | Langemeier | Schrock |
| Bourne | Cunningham | Hudkins | Louden | Smith |
| Brown | Engel | Janssen | McDonald | Stuhr |
| Burling | Erdman | Jensen | Mines | Stuthman |
| Byars | Fischer | Johnson | Pahls | Synowiecki |
| Chambers | Flood | Kopplin | Pederson, D. | Thompson |
| Combs | Foley | Kremer | Price | Wehrbein |
| Connealy | Friend | Kruse | Raikes | |
| Cornett | Heidemann | Landis | Schimek | |

Voting in the negative, 0.

Present and not voting, 5:

Baker Beutler Brashear Preister Redfield

Excused and not voting, 1:

Pedersen, Dw.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SPEAKER BRASHEAR PRESIDING

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR 12CA, LBs 126, 126A, 348, 348A, 114, 40, 40A, 146, 146A, 332, 332A, 713, 211, 211A, 28, and 28A.

SELECT COMMITTEE REPORTS

Enrollment and Review

Correctly Reengrossed

The following bill was correctly reengrossed: LB 71A.

Correctly Engrossed

The following bills were correctly engrossed: LBs 116, 373, 577, 589, 589A, 594, and 645.

ER9052

Enrollment and Review Change to LB 71A

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Brashear amendment, AM1780, on page 1, line 4, a comma has been inserted after "Council".

ER9051

Enrollment and Review Change to LB 116

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "child" in line 1 through line 4 has been struck and "children; to amend sections 28-714 to 28-724, 28-727, 43-1724, 43-3342.03, 43-3709, and 71-6906, Reissue Revised Statutes of Nebraska, and sections 28-710, 28-711, 28-713, 28-713.01, 28-725, and 28-726, Revised Statutes Supplement, 2004; to name an act; to change

provisions relating to child abuse and neglect reports and the central register of child protection cases; to provide for a tracking system of child protection cases; to eliminate a registry; to provide a penalty for failure to withhold income for child support obligations as prescribed; to change provisions relating to the State Disbursement Unit; to harmonize provisions; and to repeal the original sections." inserted.

(Signed) Michael Flood, Chairperson

MOTION - Print in Journal

Senator Brashear filed the following motion:

Suspend Rule 6, Section 3, and Rule 7, Sections 3 and 7, and to indefinitely postpone the following bills whose provisions have been included in other enacted legislation or whose companion bill has been indefinitely postponed: LBs 8, 12, 12A, 22, 25, 29, 92, 110, 123, 130, 151, 167, 170, 171, 174, 177, 187, 212, 218, 237, 240, 251, 272, 273, 273A, 300, 302, 330, 365, 367, 368, 395, 410, 411, 412, 444, 446, 466, 474, 494, 519, 532, 558, 597, 603, 619, 691, 703, 716, 734, 738, 755, 756, and 758.

MOTION - Recess

Senator Chambers moved to recess until 5:30 p.m. The motion failed with 7 ayes, 34 nays, 7 present and not voting, and 1 excused and not voting.

VISITOR

The Doctor of the Day was Dr. Dorothy Zink from Omaha.

ADJOURNMENT

At 4:17 p.m., on a motion by Senator Beutler, the Legislature adjourned until 10:00 a.m., Thursday, June 2, 2005.

Patrick J. O'Donnell
Clerk of the Legislature